

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REISSUE APPLICATION: CONSENT OF ASSIGNEE;  
STATEMENT OF NON-ASSIGNMENT**Docket Number (Optional)  
HAL-11303/04

This is part of the application for a reissue patent based on the original patent identified below.

Name of Patentee(s) Toshiharu Nogai, Frank W. HuntPatent Number  
5,894,832Date Patent Issued  
04/20/99Title of Invention  
Cold Start Engine Control Apparatus and Method

1. ☒ Filed herein is a statement under 37 CFR 3.73(b). (Form PTO/SB/96)
2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

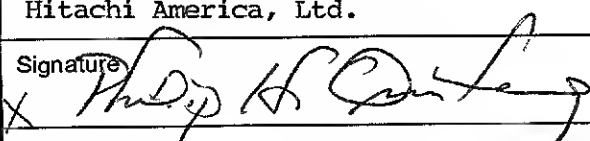
One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked, skip the next entry and go directly to "Name of Assignee".

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are Hitachi America, Ltd., and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned)  
Hitachi America, Ltd.

Signature



Date

4/18/01

Typed or printed name and title of person signing for assignee (if assigned)

Name: Philip H. OmsbergTitle: Exec Vice President  
and General Counsel

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → +

PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Patent Application Number	5,894,832
Issue Date	04/20/99
First Named Inventor	Toshiharu Nogi
Title	Cold Start Engine Control
Group Art Unit	Apparatus and Method
Examiner Name	
Attorney Docket Number	HAL-11303/04

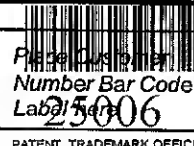
I hereby appoint:

☒ Practitioners at Customer Number

25006

OR

☐ Practitioner(s) named below:



Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ Practitioners at Customer Number

Place Customer  
Number Bar Code  
Label here

☐ Firm or  
Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name

Philip H. Onsberg

Signature

*Philip H. Onsberg*

Date

4/18/01

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

NOVEMBER 07, 1996

PTAS

HITACHI AMERICA, LTD.  
JOHN SIDERIS, ESQ.  
LEGAL GROUP  
50 PROSPECT AVENUE  
TARRYTOWN, NY 10591



\*100265275A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/12/1996

REEL/FRAME: 8111/0591  
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

NOGI, TOSHIHARU

DOC DATE: 06/28/1996

ASSIGNOR:

HUNT, FRANK W.

DOC DATE: 06/28/1996

ASSIGNEE:

HITACHI AMERICA, LTD.  
50 PROSPECT AVENUE  
TARRYTOWN, NEW YORK 10591

SERIAL NUMBER: 08679273  
PATENT NUMBER:

FILING DATE: 07/12/1996  
ISSUE DATE:

LAWAN FLETCHER, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

08679275

HAL 073

**PATENT ASSIGNMENT**

Toshiharu Nogi and Frank W. Hunt

as coinventors of the invention and/or discovery entitled

*Cold Start Engine Control Apparatus and Method*

desire to assign to Hitachi America, Ltd., a corporation organized and existing under the laws of the State of New York and whose corporate offices are located at 50 Prospect Avenue, Tarrytown, New York 10591, which, together with its successors and assigns, hereinafter called "Assignee", is desirous of acquiring the title, rights, benefits and privileges hereinafter recited, and of confirming the same or any part thereof acquired by Assignee.

NOW, THEREFORE, for valuable consideration furnished by Assignee to us, receipt and sufficiency of which we hereby acknowledge, we hereby without reservation:

1. Assign and convey to and confirm in Assignee the entire right, title and interest in and to said invention and discovery, any and all applications for Letters Patent of the United States of America, any and all other applications for Letters Patent on said invention and discovery in whatever countries, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said invention or discovery or upon said applications, and all Letters Patent and reissues and extensions of Letters Patent granted for said invention and discovery or upon said applications and every priority right that it may be predicated upon or arise from said inventions, said discovery, said applications and said Letters Patent;
2. Authorize Assignee to file patent applications in any or all countries on any or all of said invention and discovery in our name or in the name of Assignee or otherwise as Assignee may deem advisable, under the International Convention or otherwise;
3. Authorize and request the Commissioner of Patents of the United States of America and the empowered officials of all other governments to issue or transfer all said Letters Patent to Assignee, as assignee of the entire right, title and interest therein or otherwise as Assignee may direct;
4. Warrant that we have not knowingly conveyed to others any right in said invention, discovery, applications or patents or any license to use the same or to make, use or sell anything embodying or utilizing any of said invention or discovery; and that we have the right to assign the same to Assignee without encumbrance;
5. Bind our heirs and legal representatives, as well as ourselves, to do, upon Assignee's request and at its expense, but without additional consideration to us or them, all acts

Express Mail No.  
EF266528235US

reasonable serving to assure that the said invention and discovery, said patent applications and said Letters Patent shall be held and enjoyed by Assignee as fully and entirely as the same could have been held and enjoyed by us or our heirs or representatives if this assignment had not been made; and particularly to execute and deliver to Assignee all lawful application documents including petitions, specifications, and others, and all assignments, disclaimers, and law affidavits in the form and substance as may be requested by Assignee; to communicate to Assignee all facts known to us relating to said invention and discovery or the history thereof; and to furnish Assignee with any and all documents, photographs, models, samples and other physical exhibits in our control or in the control of our heirs or legal representatives and which may be useful for establishing the facts of our conceptions, disclosures and reduction to practice of said invention and discovery.

The effective date of this instruments is the 28 day of June, 1996.

Assignor's Signature: Asht B. [Signature]

Assignor's Name: Toshiharu Nogi  
First Name Middle Initial Last Name

Citizenship: Japan

IN WITNESS WHEREOF, we have hereunto set our hand and affixed our seal this 28  
day of June, 1996.

STATE OF )  
 ) ss.:  
COUNTY OF )

On this 28 day of June, 1996, before me, the undersigned authority, personally appeared Toshiharu Nagi to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he executed the same as his own voluntary act and deed for the uses and purposes therein specified.

J. Higumura  
Notary Public

Assignor's Signature: Frank W. Hunt  
First Name Middle Initial Last Name

Citizenship: U.S.A.

IN WITNESS WHEREOF, We have hereunto set our hand and affixed our seal this 18  
day of June, 1996

STATE OF Michigan )  
COUNTY OF Oakland ) ss.:

On this 18 day of June, 1996, before me, the undersigned authority, personally appeared Frank W. Hunt to me known and known to me to be the individual who is described in and who executed the foregoing Assignment, and who duly acknowledged to me that he/she executed the same as his/her own voluntary act and deed for the uses and purposes therein specified.

G.A. Gilhuly  
Notary Public  
Notary in Oakland City  
G.A. GILHULY  
NOTARY PUBLIC - WAYNE COUNTY, MI  
MY COMMISSION EXPIRES 06/1/98

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)

HAL-11343/04

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

Name(s)

Registration Number

Douglas W. Sprinkle 27,394

(See Appendix B)

Correspondence Address: Direct all communications about the application to:

☒ Customer Number

25006

Type Customer Number here

Patent Number Bar  
Code Label here  
25006

☐ Firm or Individual Name

Address

Address

City

State

Zip

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of sole or first inventor (given name, family name)

Toshiharu Noqi

Inventor's signature

Date April 19, 2001

Residence

1458-437 Tazazaki Hiroshi-machi

Citizenship

Japan

Mailing Address

Ibami-ken, Japan 312-0003

Full name of second joint inventor (given name, family name)

Frank W. Hunt

Inventor's signature

Date April 18, 2001

Residence

1211 Bogie Lake Rd

Citizenship

US

Mailing Address

White Lake, Michigan 48383

Full name of third joint inventor (given name, family name)

Inventor's signature

Date

Residence

Citizenship

Mailing Address

☐ Additional joint inventors are named on separately numbered sheets attached hereto.

## APPENDIX A

### SUPPLEMENTAL DECLARATION

Toshiharu Nogi and Frank W. Hunt, co-inventors of the above-identified patent and Applicants herein, declare as follows:

1. Applicants believe the original patent to be partly inoperative or invalid by reason of the patentee claiming less than we had a right to claim in the patent.

2. The error in claiming less than the patentee had a right to claim arose through error. This error occurred through inadequate communication between Applicants and their patent attorney during the original prosecution of the patent application resulting in the original patent. Specifically, Applicants failed to adequately communicate with their patent attorney during the original prosecution of this patent as to the important features of the invention now set forth in the newly submitted patent claims.

3. All errors which are being corrected in the present reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the Applicants.

4. Applicants have reviewed and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to the oath/declaration.

5. Applicants believe the named inventors to be the original and the first inventors of the subject matter which is claimed and for which a patent is sought.

6. Applicants acknowledge the duty to disclose to the Patent Office all information known to the Applicants to be material to patentability as defined in 37 CFR 1.56.

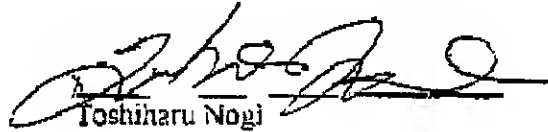


7. Every error in the patent which was corrected in the present reissue application and is not covered by the prior declaration submitted in this application arose without any deceptive intention on the part of the Applicants.

8. Applicants offer to surrender the original patent.

We declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date X Apr. 19, 2001

  
Toshiharu Nogi

Date X Apr. 18, 2001

  
Frank W. Hunt

DWS/gg  
GS-C:\docs\GWN\KA1.1130.f-dec.doc

## APPENDIX B

Ernest L. Gifford, P.O. Reg. No. 20,644  
Allen M. Krass, P.O. Reg. No. 18,277  
Irvin L. Groh, P.O. Reg. No. 17,505  
Douglas W. Sprinkle, P.O. Reg. No. 27,394  
Thomas E. Anderson, P.O. Reg. No. 31,318  
Ronald W. Citkowski, P.O. Reg. No. 31,005  
Judith M. Riley, P.O. Reg. No. 31,561  
Douglas J. McEvoy, P.O. Reg. No. 34,385  
Ellen S. Cogen, P.O. Reg. No. 38,109  
Roberta J. Morris, P.O. Reg. No. 33,196  
John G. Posa, P.O. Reg. No. 37,424  
Avery N. Goldstein, P.O. Reg. No. 39,204  
Mark D. Schneider, P.O. Reg. No. 34,906  
Douglas L. Wathen, Reg. No. 41,369  
Elisabeth S. Sussex, Reg. No. 46,391  
Beverly M. Bunting, Reg. No. 36,072